

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ARTHUR DOE, *et al.*

Plaintiff,

v.

FITCH, *et al.*,

Defendants.

Case No. 3:16-cv-00789 (CWR) (FKB)

**Joint Stipulation to Amend Order
Awarding Attorneys' Fees and Costs
(ECF No. 161)**

Whereas on August 1, 2022, this Court granted in part and denied in part Plaintiffs' Motion for Attorneys' Fees and Costs (ECF No. 161) and awarded Plaintiffs' \$352,143.20 in fees and \$10,777.83 in costs for a total award of \$362,921.03;

Whereas Defendants appealed that order to the Fifth Circuit Court of Appeals. (ECF No. 162);

Whereas on April 12, 2023, the Fifth Circuit Court of Appeals affirmed this Court's order;

Whereas Plaintiffs are entitled to their fees and costs incurred in defending the fee order on appeal, *see Cruz v. Hauck*, 762 F.2d 1230, 1233–35 (5th Cir. 1985);

Whereas the parties have agreed to resolve Plaintiffs' fees on appeal for \$35,280.00; and

Whereas Plaintiffs are entitled to interest on the initial fee award and the fees on appeal pursuant to 28 U.S.C. § 1961, *see Louisiana Power & Light Co. v. Kellstrom*, 50 F.3d 319, 331 (5th Cir. 1995) (*per curiam*).

Therefore, the parties stipulate and jointly request that the Court amend its August 1, 2022 Order as follows:

- \$35,000.00 in fees incurred on appeal are added to the original \$362,921.03 award for a total of \$397,921.03;
- Post-judgment interest accrues at an annual rate of 1.58% on the original award of \$362,921.03 from August 1, 2022;
- Post-judgment interest accrues at an annual rate of 4.8% on the award of \$35,280.00 in fees incurred on appeal from the date of the Court's order approving this stipulation.

DATED: April 25, 2023

/s/ Matthew Strugar
Matthew Strugar
LAW OFFICE OF MATTHEW STRUGAR
Shayana Kadidal
CENTER FOR CONSTITUTIONAL RIGHTS
Robert B. McDuff
LAW OFFICE OF ROBERT MCDUFF

Attorneys for Plaintiffs

DATED: April 25, 2023

/s/ Wilson Minor
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Attorneys for Defendants

CERTIFICATE OF SERVICE

This is to certify that on this day I, Matthew Strugar, Counsel for Plaintiffs, electronically filed the foregoing document with the Clerk of the Court using the ECF system which sent notice of such filing to the following:

WILSON MINOR, MSB No. 102663
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ATTORNEY FOR DEFENDANTS

THIS, the 25th day of April, 2023.

/s/Matthew Strugar
Matthew Strugar